

ANSWER: See attached Answer to Interrogatory No. 1. The Plaintiff objects to the vagueness of this interrogatory as well as the mischaracterization of identifying “lines” as being processed by or belonging to any individual officer at the South Bend, Police Department. Phone lines were assigned to departments and/or offices not individuals. The Plaintiff answers this interrogatory based upon her assumption that the defendants are seeking information about line 245-6031.

INTERROGATORY NO. 2: Identify any and all dates on which you listened to the line of Capt. Brian Young for the purpose of determining if there were additional conversations that evidence wrongdoing, illegality, something against the duty manual or would place the city in a "liable" position.

ANSWER: See attached Answer to Interrogatory No. 2. The Plaintiff objects to the vagueness of this interrogatory as well as the mischaracterization of identifying "lines" as being processed by or belonging to any individual officer at the South Bend, Police Department. Phone lines were assigned to departments and/or offices not individuals. The Plaintiff answers this interrogatory based upon her assumption that the defendants are seeking information about line 245-6031.

INTERROGATORY NO. 3: Identify each and every request, direction, or order you received from anyone in the South Bend Police Department ("SBPD") for you to review recorded conversations between two sworn police officers talking on assigned telephone lines within the SBPD. Include in your answer the date of such request, direction, or order along with the date of your review of the recordings on the Dynamic Instruments Recording System and any reason expressed to you for the purpose of your review and identify any documents that relate to the requests you identified.

ANSWER: See attached Answer to Interrogatory No. 3.

INTERROGATORY NO. 4: In the Officer's Report of 1/04/12, which you authored (attached as **Exhibit A**), you stated that you "discovered a number of behaviors taking place that were at the least unethical and quite possibly if discovered could place the City of South Bend in a liable position." Identify each and every "behavior" that you discovered on that date and describe why you believed it could create liability for the City of South Bend.

ANSWER: See attached Answer to Interrogatory No. 4.

INTERROGATORY NO. 5: With regard to your "troubleshooting" activities performed on February 4, 2011 (See **Exhibit A** – Officer's Report), describe in detail the malfunction that occurred which required you to listen to conversations that occurred on February 4, 2011.

ANSWER: See attached Answer to Interrogatory No. 5.

INTERROGATORY NO. 6: With regard to the conversations of February 4, 2011 that you placed on Cassette Tape #1, please state the following:

- (a) What date did you first hear the conversation that occurred and was captured on February 4, 2011?
- (b) What date did you place the conversation of February 4, 2011 onto the Cassette Tape #1?

- (c) Describe the nature of and the date of the malfunction that led you to listen to the captured conversations that occurred on February 4, 2011.
- (d) Describe all other activities, including what other channels you listened to in checking data related to the malfunction described above in (c).
- (e) How long (described as number of minutes) did you listen to each channel to determine if the system was appropriately capturing data?
- (f) What was the first thing you heard that led you to believe that the particular conversation on February 4, 2011 should be placed on a cassette tape?
- (g) How long did you listen to Captain Young's line on the date that you were listening to the conversation that occurred on February 4, 2011?
- (h) State the date that you first informed anyone in the South Bend Police Department of the content of the conversation that took place on February 4, 2011.

ANSWER: See attached Answer to Interrogatory No. 6. The Plaintiff objects to the vagueness of this interrogatory as well as the mischaracterization of identifying "lines" as being processed by or belonging to any individual officer at the South Bend Police Department. Phone lines were assigned to departments and/or offices, not individuals. The Plaintiff answers this interrogatory based upon her assumption that the defendants are seeking information about line 245-6031.

INTERROGATORY NO. 8: With regard to the conversations of April 5, 2011 at

12:04 that you placed on Cassette Tape #2, please state the following:

- (a) What date did you first hear the conversation that occurred and was captured on April 5, 2011 at 12:04?
- (b) What date did you place the conversation of April 5, 2011 at 12:04 onto the Cassette Tape #2?
- (c) Describe the nature of and the date of the malfunction that led you to listen to the captured conversations that occurred on April 5, 2011 at 12:04.

- (d) Describe all other activities, including what other channels you listened to in checking data related to the malfunction described above.
- (e) How long (described as number of minutes) did you listen to each channel to determine if the system was appropriately capturing data?
- (f) What was the first thing you heard that led you to believe that the particular conversation on April 5, 2011 at 12:04 should be placed on a cassette tape?
- (g) How long did you listen to Captain Young's line on the date that you were listening to the conversation that occurred on April 5, 2011 at 12:04?
- (h) State the date that you first informed anyone in the South Bend Police Department of the content of the conversation that took place on April 5, 2011 at 12:04.

ANSWER: See attached Answer to Interrogatory No. 8. The Plaintiff objects to the vagueness of this interrogatory as well as the mischaracterization of identifying "lines" as being processed by or belonging to any individual officer at the South Bend Police Department. Phone lines were assigned to departments and/or offices, not individuals. The Plaintiff answers this interrogatory based upon her assumption that the defendants are seeking information about line 245-6031.

INTERROGATORY NO. 9: With regard to the conversations of April 5, 2011 at

14:20 that you placed on Cassette Tape #2, please state the following:

- (a) What date did you first hear the conversation that occurred and was captured on April 5, 2011 at 14:20?
- (b) What date did you place the conversation of April 5, 2011 at 14:20 onto the Cassette Tape #2?
- (c) Describe the nature of and the date of the malfunction that led you to listen to the captured conversations that occurred on April 5, 2011 at 14:20.
- (d) Describe all other activities, including what other channels you listened to in checking data related to the malfunction described above.

- (e) How long (described as number of minutes) did you listen to each channel to determine if the system was appropriately capturing data?
- (f) What was the first thing you heard that led you to believe that the particular conversation on April 5, 2011 at 14:20 should be placed on a cassette tape?
- (g) How long did you listen to Captain Young's line on the date that you were listening to the conversation that occurred on April 5, 2011 at 14:20?
- (h) State the date that you first informed anyone in the South Bend Police Department of the content of the conversation that took place on April 5, 2011 at 14:20.

ANSWER: See attached Answer to Interrogatory No. 9. The Plaintiff objects to the vagueness of this interrogatory as well as the mischaracterization of identifying "lines" as being processed by or belonging to any individual officer at the South Bend Police Department. Phone lines were assigned to departments and/or offices, not individuals. The Plaintiff answers this interrogatory based upon her assumption that the defendants are seeking information about line 245-6031.

INTERROGATORY NO. 10: With regard to the conversations of July 14, 2011

at 10:54 that you placed on Cassette Tape #3, please state the following:

- (a) What date did you first hear the conversation that occurred and was captured on July 14, 2011 at 10:54?
- (b) What date did you place the conversation of July 14, 2011 at 10:54 onto the Cassette Tape #3?
- (c) Describe the nature of and the date of the malfunction that led you to listen to the captured conversations that occurred on July 14, 2011 at 10:54.
- (d) Describe all other activities, including what other channels you listened to in checking data related to the malfunction described above.
- (e) How long (described as number of minutes) did you listen to each channel to determine if the system was appropriately capturing data?

- (f) What was the first thing you heard that led you to believe that the particular conversation on July 14, 2011 at 10:54 should be placed on a cassette tape?
- (g) How long did you listen to Captain Young's line on the date that you were listening to the conversation that occurred on July 14, 2011 at 10:54?
- (h) State the date that you first informed anyone in the South Bend Police Department of the content of the conversation that took place on July 14, 2011 at 10:54.

ANSWER: See attached Answer to Interrogatory No. 10. The Plaintiff objects to the vagueness of this interrogatory as well as the mischaracterization of identifying "lines" as being processed by or belonging to any individual officer at the South Bend Police Department. Phone lines were assigned to departments and/or offices, not individuals. The Plaintiff answers this interrogatory based upon her assumption that the defendants are seeking information about line 245-6031.

INTERROGATORY NO. 11: With regard to the conversations of July 15, 2011

at 9:01 that you placed on Cassette Tape #3, please state the following:

- (a) What date did you first hear the conversation that occurred and was captured on July 15, 2011 at 9:01?
- (b) What date did you place the conversation of July 15, 2011 at 9:01 onto the Cassette Tape #3?
- (c) Describe the nature of and the date of the malfunction that led you to listen to the captured conversations that occurred on July 15, 2011 at 9:01.
- (d) Describe all other activities, including what other channels you listened to in checking data related to the malfunction described above.
- (e) How long (described as number of minutes) did you listen to each channel to determine if the system was appropriately capturing data?
- (f) What was the first thing you heard that led you to believe that the particular conversation on July 15, 2011 at 9:01 should be placed on a cassette tape?

- (g) How long did you listen to Captain Young's line on the date that you were listening to the conversation that occurred on July 15, 2011 at 9:01?
- (h) State the date that you first informed anyone in the South Bend Police Department of the content of the conversation that took place on July 15, 2011 at 9:01.

ANSWER: See attached Answer to Interrogatory No. 11. The Plaintiff objects to the vagueness of this interrogatory as well as the mischaracterization of identifying "lines" as being processed by or belonging to any individual officer at the South Bend Police Department. Phone lines were assigned to departments and/or offices, not individuals. The Plaintiff answers this interrogatory based upon her assumption that the defendants are seeking information about line 245-6031.

INTERROGATORY NO. 12: With regard to the conversations of June 3, 2011 at 14:13 that you placed on Cassette Tape #4, please state the following:

- (a) What date did you first hear the conversation that occurred and was captured on June 3, 2011 at 14:13?
- (b) What date did you place the conversation of June 3, 2011 at 14:13 onto the Cassette Tape #4?
- (c) Describe the nature of and the date of the malfunction that led you to listen to the captured conversations that occurred on June 3, 2011 at 14:13.
- (d) Describe all other activities, including what other channels you listened to in checking data related to the malfunction described above.
- (e) How long (described as number of minutes) did you listen to each channel to determine if the system was appropriately capturing data?
- (f) What was the first thing you heard that led you to believe that the particular conversation on June 3, 2011 at 14:13 should be placed on a cassette tape?
- (g) How long did you listen to Captain Young's line on the date that you were listening to the conversation that occurred on June 3, 2011 at 14:13?

- (h) State the date that you first informed anyone in the South Bend Police Department of the content of the conversation that took place on June 3, 2011 at 14:13.

ANSWER: See attached Answer to Interrogatory No. 12. The Plaintiff objects to the vagueness of this interrogatory as well as the mischaracterization of identifying "lines" as being processed by or belonging to any individual officer at the South Bend Police Department. Phone lines were assigned to departments and/or offices, not individuals. The Plaintiff answers this interrogatory based upon her assumption that the defendants are seeking information about line 245-6031.

INTERROGATORY NO. 13: With regard to the conversations of June 6, 2011 at

9:21 that you placed on Cassette Tape #4, please state the following:

- (a) What date did you first hear the conversation that occurred and was captured on June 6, 2011 at 9:21?
- (b) What date did you place the conversation of June 6, 2011 at 9:21 onto the Cassette Tape #4?
- (c) Describe the nature of and the date of the malfunction that led you to listen to the captured conversations that occurred on June 6, 2011 at 9:21.
- (d) Describe all other activities, including what other channels you listened to in checking data related to the malfunction described above.
- (e) How long (described as number of minutes) did you listen to each channel to determine if the system was appropriately capturing data?
- (f) What was the first thing you heard that led you to believe that the particular conversation on June 6, 2011 at 9:21 should be placed on a cassette tape?
- (g) How long did you listen to Captain Young's line on the date that you were listening to the conversation that occurred on June 6, 2011 at 9:21?
- (h) State the date that you first informed anyone in the South Bend Police Department of the content of the conversation that took place on June 6, 2011 at 9:21.

ANSWER: See attached Answer to Interrogatory No. 13. The Plaintiff objects to the vagueness of this interrogatory as well as the mischaracterization of identifying "lines" as being processed by or belonging to any individual officer at the South Bend Police Department. Phone lines were assigned to departments and/or offices, not individuals. The Plaintiff answers this interrogatory based upon her assumption that the defendants are seeking information about line 245-6031.

INTERROGATORY NO. 14: With regard to the conversations of June 16, 2011

at 8:41 that you placed on Cassette Tape #5, please state the following:

- (a) What date did you first hear the conversation that occurred and was captured on June 16, 2011 at 8:41?
- (b) What date did you place the conversation of June 16, 2011 at 8:41 onto the Cassette Tape #5?
- (c) Describe the nature of and the date of the malfunction that led you to listen to the captured conversations that occurred on June 16, 2011 at 8:41.
- (d) Describe all other activities, including what other channels you listened to in checking data related to the malfunction described above.
- (e) How long (described as number of minutes) did you listen to each channel to determine if the system was appropriately capturing data?
- (f) What was the first thing you heard that led you to believe that the particular conversation on June 16, 2011 at 8:41 should be placed on a cassette tape?
- (g) How long did you listen to Captain Young's line on the date that you were listening to the conversation that occurred on June 16, 2011 at 8:41?
- (h) State the date that you first informed anyone in the South Bend Police Department of the content of the conversation that took place on June 16, 2011 at 8:41.

ANSWER: See attached Answer to Interrogatory No. 14. The Plaintiff objects to the vagueness of this interrogatory as well as the mischaracterization of identifying "lines" as being processed by or belonging to any individual officer at the South Bend Police Department. Phone lines were assigned to departments

and/or offices, not individuals. The Plaintiff answers this interrogatory based upon her assumption that the defendants are seeking information about line 245-6031.

INTERROGATORY NO. 15: With regard to the conversations of June 16, 2011

at 10:18 that you placed on Cassette Tape #5, please state the following:

- (a) What date did you first hear the conversation that occurred and was captured on June 16, 2011 at 10:18?
- (b) What date did you place the conversation of June 16, 2011 at 10:18 onto the Cassette Tape #5?
- (c) Describe the nature of and the date of the malfunction that led you to listen to the captured conversations that occurred on June 16, 2011 at 10:18.
- (d) Describe all other activities, including what other channels you listened to in checking data related to the malfunction described above.
- (e) How long (described as number of minutes) did you listen to each channel to determine if the system was appropriately capturing data?
- (f) What was the first thing you heard that led you to believe that the particular conversation on June 16, 2011 at 10:18 should be placed on a cassette tape?
- (g) How long did you listen to Captain Young's line on the date that you were listening to the conversation that occurred on June 16, 2011 at 10:18?
- (h) State the date that you first informed anyone in the South Bend Police Department of the content of the conversation that took place on June 16, 2011 at 10:18.

ANSWER: See attached Answer to Interrogatory No. 15. The Plaintiff objects to the vagueness of this interrogatory as well as the mischaracterization of identifying "lines" as being processed by or belonging to any individual officer at the South Bend Police Department. Phone lines were assigned to departments and/or offices, not individuals. The Plaintiff answers this interrogatory based upon her assumption that the defendants are seeking information about line 245-6031.

INTERROGATORY NO. 16: With regard to the conversations of June 27, 2011

at 10:37 that you placed on Cassette Tape #5, please state the following:

- (a) What date did you first hear the conversation that occurred and was captured on June 27, 2011 at 10:37?
- (b) What date did you place the conversation of June 27, 2011 at 10:37 onto the Cassette Tape #5?
- (c) Describe the nature of and the date of the malfunction that led you to listen to the captured conversations that occurred on June 27, 2011 at 10:37.
- (d) Describe all other activities, including what other channels you listened to in checking data related to the malfunction described above.
- (e) How long (described as number of minutes) did you listen to each channel to determine if the system was appropriately capturing data?
- (f) What was the first thing you heard that led you to believe that the particular conversation on June 27, 2011 at 10:37 should be placed on a cassette tape?
- (g) How long did you listen to Captain Young's line on the date that you were listening to the conversation that occurred on June 27, 2011 at 10:37?
- (h) State the date that you first informed anyone in the South Bend Police Department of the content of the conversation that took place on June 27, 2011 at 10:37.

ANSWER: See attached Answer to Interrogatory No. 16. The Plaintiff objects to the vagueness of this interrogatory as well as the mischaracterization of identifying "lines" as being processed by or belonging to any individual officer at the South Bend Police Department. Phone lines were assigned to departments and/or offices, not individuals. The Plaintiff answers this interrogatory based upon her assumption that the defendants are seeking information about line 245-6031.

INTERROGATORY NO. 17: With regard to the conversations of July 7, 2011 at

8:11 that you placed on Cassette Tape #6, please state the following:

- (a) What date did you first hear the conversation that occurred and was captured on July 7, 2011 at 8:11?
- (b) What date did you place the conversation July 7, 2011 at 8:11 onto the Cassette Tape #6?
- (c) Describe the nature of and the date of the malfunction that led you to listen to the captured conversations that occurred on July 7, 2011 at 8:11.
- (d) Describe all other activities, including what other channels you listened to in checking data related to the malfunction described above.
- (e) How long (described as number of minutes) did you listen to each channel to determine if the system was appropriately capturing data?
- (f) What was the first thing you heard that led you to believe that the particular conversation on July 7, 2011 at 8:11 should be placed on a cassette tape?
- (g) How long did you listen to Captain Young's line on the date that you were listening to the conversation that occurred on July 7, 2011 at 8:11?
- (h) State the date that you first informed anyone in the South Bend Police Department of the content of the conversation that took place on June 27, 2011 at 10:37.

ANSWER: See attached Answer to Interrogatory No. 17. The Plaintiff objects to the vagueness of this interrogatory as well as the mischaracterization of identifying "lines" as being processed by or belonging to any individual officer at the South Bend Police Department. Phone lines were assigned to departments and/or offices, not individuals. The Plaintiff answers this interrogatory based upon her assumption that the defendants are seeking information about line 245-6031.

INTERROGATORY NO. 18: With regard to the conversations of July 13, 2011 at 10:19 that you placed on Cassette Tape #6, please state the following:

- (a) What date did you first hear the conversation that occurred and was captured on July 13, 2011 at 10:19?

- (b) What date did you place the conversation of July 13, 2011 at 10:19 onto the Cassette Tape #6?
- (c) Describe the nature of and the date of the malfunction that led you to listen to the captured conversations that occurred on July 13, 2011 at 10:19.
- (d) Describe all other activities, including what other channels you listened to in checking data related to the malfunction described above.
- (e) How long (described as number of minutes) did you listen to each channel to determine if the system was appropriately capturing data?
- (f) What was the first thing you heard that led you to believe that the particular conversation on July 13, 2011 at 10:19 should be placed on a cassette tape?
- (g) How long did you listen to Captain Young's line on the date that you were listening to the conversation that occurred on July 13, 2011 at 10:19?
- (h) State the date that you first informed anyone in the South Bend Police Department of the content of the conversation that took place on July 13, 2011 at 10:19.

ANSWER: See attached Answer to Interrogatory No. 18. The Plaintiff objects to the vagueness of this interrogatory as well as the mischaracterization of identifying "lines" as being processed by or belonging to any individual officer at the South Bend Police Department. Phone lines were assigned to departments and/or offices, not individuals. The Plaintiff answers this interrogatory based upon her assumption that the defendants are seeking information about line 245-6031.

INTERROGATORY NO. 19: With regard to the conversations of July 14, 2011

at 8:35 that you placed on Cassette Tape #6, please state the following:

- (a) What date did you first hear the conversation that occurred and was captured on July 14, 2011 at 8:35?
- (b) What date did you place the conversation of July 14, 2011 at 8:35 onto the Cassette Tape #6?

- (c) Describe the nature of and the date of the malfunction that led you to listen to the captured conversations that occurred on July 14, 2011 at 8:35.
- (d) Describe all other activities, including what other channels you listened to in checking data related to the malfunction described above.
- (e) How long (described as number of minutes) did you listen to each channel to determine if the system was appropriately capturing data?
- (f) What was the first thing you heard that led you to believe that the particular conversation on July 14, 2011 at 8:35 should be placed on a cassette tape?
- (g) How long did you listen to Captain Young's line on the date that you were listening to the conversation that occurred on July 14, 2011 at 8:35?
- (h) State the date that you first informed anyone in the South Bend Police Department of the content of the conversation that took place on July 14, 2011 at 8:35.

ANSWER: See attached Answer to Interrogatory No. 19. The Plaintiff objects to the vagueness of this interrogatory as well as the mischaracterization of identifying "lines" as being processed by or belonging to any individual officer at the South Bend Police Department. Phone lines were assigned to departments and/or offices, not individuals. The Plaintiff answers this interrogatory based upon her assumption that the defendants are seeking information about line 245-6031.

INTERROGATORY NO. 20: With regard to the conversations of July 14, 2011

at 9:32 that you placed on Cassette Tape #6, please state the following:

- (a) What date did you first hear the conversation that occurred and was captured on July 14, 2011 at 9:32?
- (b) What date did you place the conversation of July 14, 2011 at 9:32 onto the Cassette Tape #6?
- (c) Describe the nature of and the date of the malfunction that led you to listen to the captured conversations that occurred on July 14, 2011 at 9:32.

- (d) Describe all other activities, including what other channels you listened to in checking data related to the malfunction described above.
- (e) How long (described as number of minutes) did you listen to each channel to determine if the system was appropriately capturing data?
- (f) What was the first thing you heard that led you to believe that the particular conversation on July 14, 2011 at 9:32 should be placed on a cassette tape?
- (g) How long did you listen to Captain Young's line on the date that you were listening to the conversation that occurred on July 14, 2011 at 9:32?
- (h) State the date that you first informed anyone in the South Bend Police Department of the content of the conversation that took place on July 14, 2011 at 9:32.

ANSWER: See attached Answer to Interrogatory No. 20. The Plaintiff objects to the vagueness of this interrogatory as well as the mischaracterization of identifying "lines" as being processed by or belonging to any individual officer at the South Bend Police Department. Phone lines were assigned to departments and/or offices, not individuals. The Plaintiff answers this interrogatory based upon her assumption that the defendants are seeking information about line 245-6031.

INTERROGATORY NO. 21: Identify any and all protected activity in which you engaged for which there was a causal connection to your termination.

ANSWER: See attached Answer to Interrogatory No. 21.

INTERROGATORY NO. 22: Identify the discriminatory employment practice or other discrimination made unlawful under Title VII that you opposed through your alleged protected activity.

ANSWER: See attached Answer to Interrogatory No. 22.

INTERROGATORY NO. 23: Identify every fact, potential witness, and/or document supporting your contention in paragraph 24 of the Complaint that you “also heard conversations of high ranking police officers make derogatory racial slurs involving African-Americans in general and Chief Daryl Boykins in particular.”

ANSWER: See attached Answer to Interrogatory No. 23.

INTERROGATORY NO. 24: Identify every fact, potential witness, and/or document supporting your contention in paragraph 48 of the Complaint that “[a]s a result of the Defendant’s, Pete Buttigieg, defamatory statements, the Plaintiff has suffered injury to her reputation, as well as emotional and mental suffering.”

ANSWER: See attached Answer to Interrogatory No. 24.

INTERROGATORY NO. 25: Identify every fact, potential witness, and/or document supporting your contention in paragraph 34 of the Complaint that “[p]rior to the conclusion of the FBI investigation, Pete Buttigieg, then Mayor of the City of South Bend, announced to the media that he fired [you] to keep [you] from being charged criminally” and identify the basis for your claim that he knew the statement to be false.

ANSWER: See attached Answer to Interrogatory No. 25.

AFFIRMATION

I hereby affirm under the penalties of perjury that the foregoing representations are true and accurate to the best of my knowledge.

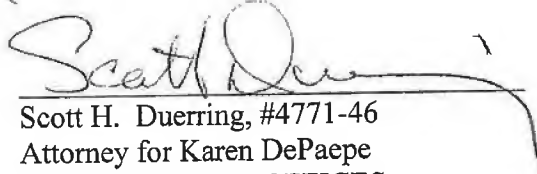


Karen DePaepe

AS TO ALL OBJECTIONS

By: 

Scott H. Duerring #4771-46



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing pleading has been served by first-class, United States mail, postage prepaid on this 31 day of Jan, 2014, upon the following:

Edward Sullivan
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Attorneys for Defendants


DUERRING LAW OFFICES

Interrogatory No. 1.

Answer: Unknown date possibly February 4, 2011

Interrogatory No. 2.

Answer: Unknown date possibly February 4, 2011

Unknown dates possibly end of July 2011

Unknown date possibly Dec 30, 2011 & Jan 3 2012 (as ordered by Chief Boykins)

Unknown dates in February 2012 as ordered by U.S. District Attorney Donald Schmid

Interrogatory No. 3.

Answer:

June/July 1999 Interim Chief Hemmerlien advised me that the Indiana State Police was investigating the South Bend Police Department regarding an alleged cover up pertaining to a DUI accident involving then Chief Darrell Gunn. He advised me that the ISP investigators were told that he, Hemmerlien, had ordered a cover up, and that I, as custodian of the records could not be trusted to provide them with all of the information as I too would cover up for Darrell Gunn. He advised me these allegations were made by Cpl. Gary Jerzak. Because of the allegations, I was ordered to pull everything recorded by the South Bend Police Department for a 72 hour time span and to fully cooperate with the ISP investigators. I was to also provide them with all phone calls and radio traffic that pertained to the DUI accident. Interim Chief Hemmerlien also told me that I would have to train the 2 ISP investigators in how to operate the (Dynamic Instruments Recording system) so that the ISP investigators could review the original audio data and be able to verify they were receiving all of the information pertaining to the case. I was also ordered to coordinate pulling all MDT-to-MDT e-mails that were sent between officers within this 72 hour time span. Information was reviewed over a period of several days within this time period but I cannot recall exact dates.

Unknown time between May/Oct 2004 Chief Thomas Fautz ordered an investigation by the Indiana State Police regarding allegations made against South Bend officers. Captain Trent contacted me and advised that I was to cooperate with the ISP investigators who would need me to obtain information regarding the investigation. I was contacted by Trooper Mick Dockery and another ISP investigator who marandized me and asked questions pertaining to Lt. Marc Mersich, Captain Phil Trent, Sgt. Rick Ruskowski, and Communications Supervisor Nancy Mersich. I was advised I was not allowed to discuss any part of the investigation. I was instructed to pull any recorded conversations I could locate between Marc Mersich, Rick Ruskowski, other NEST officers, Captain Phil Trent, and Communications Supervisor Nancy Mersich. I was also instructed to run an off-line search (trace) on a stolen gun and several stolen vehicles thru the National Crime Information Center.

Unknown time late 2009/early 2010. Division Chief Rick Bishop asked that I search all recorded lines as he was investigating Sgt. Al DeRoo. He stated Al DeRoo did not show up for work and that he, Bishop, had called him to find out where he was. Div. Chief Bishop told me Al DeRoo stated he had called in sick sometime during the early hours of that morning and spoke with one of the officers but he did not remember which number he called nor who he spoke with. Division Chief Bishop wanted to mark DeRoo as AWOL, but wanted me to search all recorded lines to see if there was any documentation showing DeRoo had called in sick to anyone.

July 1998 - January 2012 Assisted all officers assigned to the Internal Affairs Division by searching all recordings as requested as they pertained to internal affairs investigations. Some of these officers were David Chapman, Darryl Boykins, Rick Bishop, Rob Lanchsweerd, John Collins, and Lee Ross. Assisted City of South Bend Legal employees including Tom Bodnar, John Broden, Jeff Jankowski, Cheryl Green, Ann-Carol Nash, Aladeen DeRose, Jeffery Sanford, Investigator Dean Tinkel, and other employees of the Legal Department with searching all recordings regarding cases they were investigating or litigating. Often they requested for me to "see if I could find anything" related to a particular case. Last known instance was John Broden who was handling a lawsuit filed by a man tasered onboard an Amtrack train by SBPD officers. Mr. Broden asked me on two separate occasions to send him anything I could find related to this case. He stated he knew it was not my job but that he needed me to search all records and any recordings. He stated Lt. Ross had only sent him the preliminary report and he knew there was much more regarding documentation regarding this incident. He commented to the effect that I knew how to search and locate information and that he needed my assistance. I searched all records and audio data as requested by Mr. Bodner and forwarded everything located to his attention.

I am sure there are many other requests that occurred in my 14 years as custodian of the records, however these are the ones that currently come to my mind.

Interrogatory No. 4.

I recall walking into the Communications Center and entering the Supervisor's Office where the Dynamic Instruments Recording System was housed to drop off paperwork for the Communications Supervisors. I noticed the recording system was flashing an alarm and it was frozen and unable to be logged into. I performed a hard re-boot on the system to see if I could restore it to the point I would be able to log in. I was able to log in and noticed data had not been downloading to the backup dvd. The recorder's harddrive houses the audio data and periodically downloads it to the backup dvd. I called Stephen Cambell and Associates and spoke with the service technician Terry. I advised him that the system had alarmed and froze and that it was not downloading data to the backup dvd drive. I asked if there was anything I could do to recover the missing data to which he said he wasn't sure but he would check. He advised I check the recording system to see if anything else appeared to be not working properly. I then began troubleshooting the recordings housed on the Dynamic Instruments Recording System. I was checking all of the recorded 48 audio channels. I checked each channel to see if it was recording properly for that day. I would listen to random data strings and then check the backup dvd to see if the any data had downloaded. I did approximately 2-3 random checks on each channel to see if it appeared to be working correctly. Upon checking Channel 46, which recorded telephone line 245-6031, I clicked on a random audio string dated dated February 4, 2011 at 12:11. I heard Captain Brian Young leaving a recorded phone message for [REDACTED]. I found this odd because I believed 245-6031 was located in the Division Chief's office and wondered if this was some sort of error related to the system's malfunction. [REDACTED]

[REDACTED] In the past I had been ordered to assist ISP with two investigations on the South Bend Police Department which resulted in hundreds of hours of my time and work. [REDACTED]

[REDACTED] I was still questioning in my mind why Captain Young would be talking on this particular recorded line. I wondered if this some sort of fluke related to the malfunctions on the recording system or perhaps Captain Young was making these types or requests on a phone other than his own. I selected another random string of audio data which would have been sometime in December/January, the same time period that the audio recordings were not downloading onto the backup dvd. I selected the string of audio data which appeared to carry over from the previous data audio string. [REDACTED]

[REDACTED] I then checked another audio string from an unknown date in November 2010 and heard Captain Young speaking to a man [REDACTED]. By this time it seemed that perhaps Brian Young was using phone line 245-6031, that had been located in the Division Chief's office, however I did not know when this change occurred. I got up from the recording system and returned to my office where I looked up Captain Young in the CAD (Computer Aided Dispatch) personnel file and it listed 245-6031 as being assigned to the Investigative Division Captains Office. I then looked up Division Chief Richmond in the CAD personnel file and saw that 235-7473 was assigned to the Division Chief's Office. Someone unknown to me had switched and relocated these phone lines but I did not know who or when this occurred.

Interrogatory No. 5.

Answer: Refer to the answer in Interrogatory No. 4.

Interrogatory No. 6.

Answer:

- (a) Conversations on Cassette Tape #1 possibly February 4, 2011
- (b) Conversations on Cassette Tape #1 were placed on cassette on or about Dec 30, 2011 and/or Jan 3, 2012 at the order of Chief Boykins.
- (c) The Dynamics Instruments Reliant Recording System had alarmed, froze, needed to be re-booted and was not downloading audio data from the harddrive to the backup dvd drive.
- (d) Channels 1 - 48 were checked to determine if the audio data was being captured correctly and if it was downloading to the backup dvd.
- (e) The amount of time varied, depending on if everything appeared to be operating correctly.

(f)





- (g) Unknown, possibly 10 minutes worth of audio data, as I was trying to determine why his conversations were taking place on line 245-6031 which was last known to me to be housed in the Investigative Division Chief's office. I was trying to determine if this was related to issues with the recording system.

(h) Unknown date in February 2011, I advised Chief Boykins of the conversations and asked if he wanted the line pulled off the recording system or any changes made to the recording system.

*****No Interrogatory was listed for No. 7. It goes from Interrogatory No. 6 located on page 6 to Interrogatory No. 8, listed on page 7.

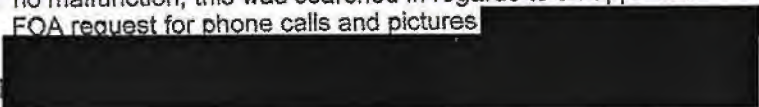

Interrogatory No. 8

Answer:

- (a) unknown date in July 2011, possibly July 25 or after - beginning of August
- (b) possibly Dec 30, 2011 and/or Jan 3, 2012 per order of Chief Boykins
- (c) no malfunction, this was searched in regards to
an approved FOA request for phone calls and pictures

- (d) no malfunction refer to (c) above
- (e) no malfunction, unknown time frame, refer to (c) above
- (f) 
- (g) Unknown time frame
- (h) Informed Chief Boykins some time in the first or second week of August 2012, when I contacted him to inform him of my upcoming FMLA.

Interrogatory No. 9.

Answer:

- (a) unknown date in July 2011, possibly July 25 or after - beginning of August
- (b) possibly Dec 30, 2011 and/or Jan 3, 2012 per order of Chief Boykins
- (c) no malfunction, this was searched in regards to an approved
FOA request for phone calls and pictures 
- (d) no malfunction
- (e) unknown time frame
- (f) 
- (g) unknown time frame
- (h) Informed Chief Boykins unknown date in August 2012,
when I contacted him to inform him of my upcoming FMLA.

Interrogatory No. 10.

Answer:

- (a) unknown July 2011, possibly July 25
- (b) possibly Dec 30, 2011 & January 3, 2012 as per order of Chief Boykins
- (c) no malfunction, this was related to an approved FOIA request for phone calls and pictures [REDACTED]
- (d) no malfunction occurred
- (e) unknown time frame

(f) [REDACTED]

- (g) unknown time frame
- (h) Informed Chief Boykins some time in the first or second week of August 2011, when I advised him of my upcoming FMLA.

Interrogatory No. 11.

Answer:



- (a) unknown date in July 2011, possibly July 25
- (b) Dec 30, 2011 & Jan 3, 2012 as per order of Chief Boykins
- (c) no malfunction, this was related to an approved FOIA request for phone calls and pictures [REDACTED]
- (d) no malfunction occurred
- (e) unknown time frame

(f) [REDACTED]

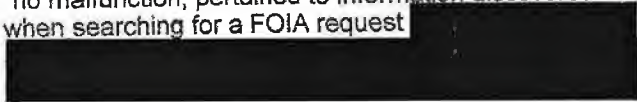

- (g) unknown time frame
- (h) Informed Chief Boykins unknown date in August 2011, when I advised him of my upcoming FMLA.

Interrogatory No. 12.

Answer:

- (a) unknown date in July 2011, possibly July 25
- (b) possibly Dec 30, 2011 and/or Jan 3, 2012 as per order of Chief Boykins
- (c) No malfunction
- (d) No malfunction, this was related to a FOIA request

- (e) unknown time frame
- (f) 
- (g) unknown time frame, I did not document this
- (h) Advised Chief Boykins on an unknown date in August 2011, when I told him of my upcoming FMLA.

Interrogatory No. 13.

- (a) unknown date in July 2011, possibly July 25
- (b) possibly Dec 30, 2011 and/or January 3, 2012 as per order of Chief Boykins
- (c) no malfunction, pertained to information discovered when searching for a FOIA request

- (d) no malfunction
- (e) unknown time frame
- (f) 
- (g) unknown time frame
- (h) Advised Chief Boykins on an unknown date in August 2011, when I told him of my upcoming FMLA.

Interrogatory No. 14.

Answer:

- (a) unknown date in July 2011, possibly July 25
- (b) possibly Dec 30, 2011 and/or January 3, 2012 as ordered by Chief Boykins
- (c) no malfunction, came upon information while searching information regarding a FOIA request
[REDACTED]
- (d) no malfunction refer to (c)
- (e) no malfunction refer to (c)
- (f) [REDACTED]
- (g) unknown time frame
- (h) discussed with Chief Boykins unknown date in August 2011 when I informed him of my upcoming FMLA

Interrogatory No. 15.

Answer:

- (a) unknown date in July, 2011, possibly Dec 30, 2011
- (b) possibly Dec 30, 2011 and/or Jan 3, 2012 as ordered by Chief Boykins
- (c) no malfunction, came upon information while searching information regarding a FOIA request
[REDACTED]
- (d) no malfunction refer to (c)
- (e) no malfunction refer to (c)
- (f) [REDACTED]
- (g) unknown time frame
- (h) did not discuss this, just included it for Chief's Boykins
[REDACTED]

Interrogatory No. 16.

Answers:

- (a) unknown date in July 2011, possibly July 25
- (b) reviewed on possibly Dec 30, 2011 and/or Jan 3 as ordered by Chief Boykins
Tape #6 was never produced
- (c) no malfunction, was searching for information on a FOIA request
[REDACTED]
- (d) no malfunction refer to (c)
- (e) no malfunction refer to (c)
- (f) [REDACTED]
- (h) Informed Chief Boykins unknown date August of 2011, when I informed
him of my upcoming FMLA



Answers:

Interrogatory No. 17.

- (a) unknown date in July 2011, possibly July 25
- (b) possibly Dec 30, 2011 and/or Jan 3 as ordered by Chief Boykins
- (c) no malfunction, was searching for information on a FOIA request [REDACTED]
- (d) no malfunction refer to (c)
- (e) no malfunction refer to (c)
- (f) Tape #6 was never produced, [REDACTED]
- (g) unknown time frame
- (h) do not recall if this was discussed

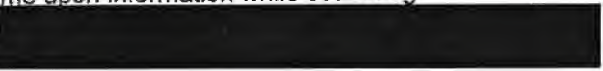

Interrogatory No. 18.

Answers:

- (a) unknown date in July 2011, possibly July 25
- (b) Tape #6 was never produced
- (c) no malfunction, came upon information while searching for information on a FOIA 
- (d) no malfunction refer to (c)
- (e) no malfunction refer to (c)
- (f) 
- (g) unknown time frame, did not track my time
- (h) Informed Chief Boykins unknown date in August 2011, when I advised him of my upcoming FMLA

Interrogatory No. 19.

Answers:

- (a) unknown date in July 2011, possibly July 25
- (b) Tape #6 was never produced
- (c) no malfunction, came upon information while searching for information on a FOIA request 
- (d) no malfunction refer to (c)
- (e) no malfunction refer to (c)
- (f) 
- (g) unknown time frame, did not track my time
- (h) Informed Chief Boykins on unknown date in August 2011, when I advised him of my upcoming FMLA

Interrogatory No. 20.

Answers

- (a) unknown date/s in July 2011, possibly July 25
- (b) Tape #6 was never produced
- (c) no malfunction, came upon information while searching for information regarding a FOIA request [REDACTED]

(d) no malfunction, refer to (c)

(e) no malfunction, refer to (c)

(f) [REDACTED]

(g) unknown time frame

(h) I do not recall if I discussed this with Chief Boykins

Interrogatory No. 21.

Answer:

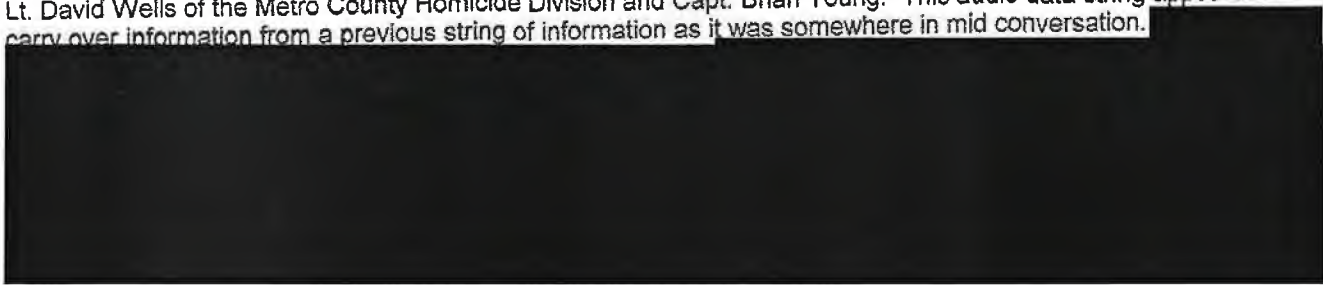
I Karen DePaepe was promoted to Director of Communications with the South Bend Police Department on July 1, 1998. At that time I was assigned all duties of this position. One of the duties of this position included being the keeper of the records for the South Bend Police Department's Dynamic Instruments Reliant Recording system. These duties included maintaining and monitoring the system hardware as well as maintaining and monitoring all data contained on the server and backup dvds. It was my responsibility to ensure that the data was recorded and maintained as the normal course of duties for the South Bend Police Department. In my fourteen years as Director of Communications I had provided audio data and paper documents on hundreds of occasions. Some persons requesting data did not have correct times, dates, or information regarding what radio channels or telephone numbers/locations the data was received on. It became routine for me to check numerous phone lines and radio channels when searching for information. I was often requested to find both audio data and paper documentation for personnel within South Bend Police Department, personnel within the South Bend Fire Department, personnel with City of South Bend Legal Dept., personnel with the St. Joseph County Prosecutors Office and personnel the U.S. Federal Prosecutors Office. As keeper of the records I was also required to find audio data for subpoenas received from defense attorneys, U.S. Probation, and FOIA requests made by the public and media. There were many occasions in my duties as keeper of the records where a request was made to check for a 911 call because the requester assumed that is where it would have been received; only to discover that the audio documentation received by the Front Desk, the Investigative Bureau, the Chief's Office, or one of the other recorded lines which included the Patrol Commanders Office, Internal Affairs, or an Administrative Office. As keeper of the records I would often have to extend my search if the requested information was not initially located from information gathered on the request. My duties were to find the information and then report thru channels what it contained and what could be released. There were no policies, guidelines, or restrictions to my use of the system either written. The only order I had was a verbal one from Tom Bodnar of the City Attorney's Office requiring to hold and store data for a period of three (3) years.

On or about February 4, 2011 I came upon a malfunction of the Dynamic Instruments Reliant Recording system in question. The recorder had frozen and had to be given a hard drive re-boot before I could log in to check the system to ensure it was working properly. Information appeared to be missing and not downloading onto the backup dvd drive. As part of my troubleshooting duties I checked recordings of each Channel 1 - 48 recorded by the South Bend Police Department to ensure everything was working properly. Upon checking Channel 46, I encountered telephone conversations to be disturbing and possibly liable to the South Bend Police Department.

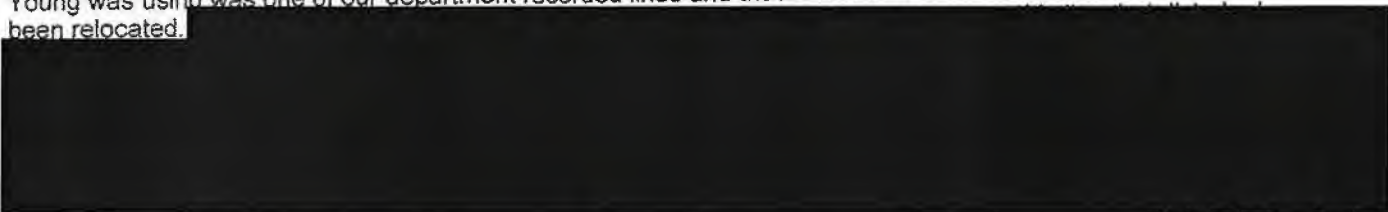
It seemed strange to me that Captain Brian Young would be holding this conversation on telephone line that had been recorded by the South Bend Police Department for many years by orders of previous Chief Thomas Fautz. I was unsure if this was a problem related with malfunction of the recording system as I my last knowledge regarding this telephone line was that it was located in the Investigative Bureau Division Chief's Office.

Page 2. Interrogatory Answer No. 21. Continued...

I checked another recording from Channel 46 and located a second call in which a conversation took place between Lt. David Wells of the Metro County Homicide Division and Capt. Brian Young. This audio data string appeared to carry over information from a previous string of information as it was somewhere in mid conversation.



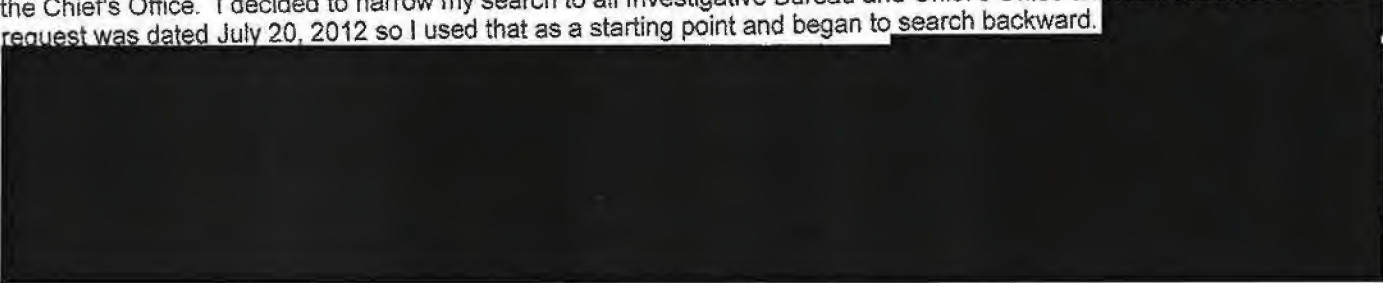
I gave thought as whether to report these incidents to the Chief of Police, understanding that as Keeper of the Records, it would be known I had come forward with the complaint. I gave this some serious consideration for approximately 2 weeks and then contacted Chief Boykins to explain that the telephone line Captain Young was using was one of our department recorded lines and that I had no idea who or when this line had been relocated.



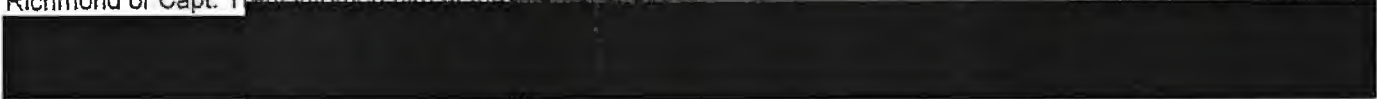
I asked him to let me know what changes if any he wanted made to the recording system or if he wanted the line pulled off of the recording system and he state "ok". He then left my office. From February 4, 2011 to April 10, 2012, the date I was terminated, Chief Boykins never requested any changes to the recording system or the lines recorded by the south Bend Police Department.

In July 2011, City Attorney Aladean DeRose approved FOIA requests from media personnel, including one from Nancy Bruce of ABC57. In Aladean's approval letter to Ms. Bruce she advises her to contact me at my office number regarding phone calls and pictures related to an internal affairs investigation. Ms. Bruce contacted me and stated because of the approval letter and the fact that Ms. DeRose advised her to contact me that I had to produce the documents and recordings she was requesting. There were no dates or times as to when phone calls or pictures were made. I advised Ms. Bruce that even if I could find the information, which she stated she was assured she received from a very reliable source, that I could not release anything as it was possibly an internal affairs investigation. Ms. Bruce kept insisting that I was going to have to produce this information as it had been approved. I advised her I would need to do some checking and would get back with her. I went to find Lt. Ross the Internal Affairs investigator and was advised he had left and would be out of town on vacation for the next 2 weeks. I searched for Chief Boykins to discuss the matter but was told he was attending a funeral. I saw Div. Chief Richmond who was in Capt. Trent's office. I handed Div. Chief Richmond the copy I had made of the approved FOIA request (intended for Lt. Ross) and advised him that someone was leaking internal affairs investigators to the media. I asked Capt. Trent, the Public Information Officer to please contact Nancy Bruce and advise her that I cannot release anything at this time as she would not take my word for it.

I decided to look for the information as I was sure Lt. Ross would be requesting it upon his return and because there were no date or times, it might take a bit of searching to locate. I checked our Computer Aided Dispatch System, and another server which stores information related to phone numbers, however without knowing what telephone number the complainant called from it was impossible to locate a starting point for the search regarding 911 calls or received complaints. Normally all complaints alleged against officers are initially transferred to that officer's commanding officer or the Chief's Office. I decided to narrow my search to all Investigative Bureau and Chief's Office Lines. Ms. Bruce's FOIA request was dated July 20, 2012 so I used that as a starting point and began to search backward.




Some time in August, I contacted Chief Boykins to advise him of my upcoming FMLA. I asked if Lt. Ross had returned from vacation as I needed to talk with him regarding an internal affairs investigation. I asked Chief Boykins if Div. Chief Richmond or Capt. Trent informed him of the [redacted] to which he said they did



I was on an FMLA from August 31 - October 31, 2011. When I returned to work I was busy catching up on duties that needed my attention from my two months of absence. In the last week of December near December 30, 2011 I ran into Chief Boykins in the Police Department back hallway near the Records Division. I asked how his Christmas was and in the conversation he stated, that he needed me to find information regarding the things we discussed on Captain Young's line. I wasn't sure exactly what he wanted and there were people walking past us. I stated you want me to locate information and he stated yes that he might have to talk to the Mayor about it. He said there was a lot more going on than just the phone calls but he might need to talk to the Mayor about them. I asked if he wanted me to send him information in an e-mail, or place them on CD and he stated he wanted them placed on cassette tape. I asked how soon he needed the this as it was year-end and I had reports to generate and was in the process of hiring 3 employees. He stated as soon as you can. I stated it would take a bit of time to go back and find it and would it be alright if I brought him some information for him to review and then continue as time permitted to which he said yes.

Interrogatory No. 22.

Refer to Tapes 1 -5



Interrogatory No. 23.

Refer to Interrogatory No. 22.

Interrogatory No. 24.

After Mayor Buttigieg's comments regarding my termination regarding a federal investigation into wiretapping (the federal authorities never referred to wiretapping and stated they were investigating a complaint issued on the police department's recording practices) my house was flooded with reporters. They were able to obtain my home and cell phone number. They obtained my husband's cell phone number and even paid a visit to my daughter's residence. Some still continue to contact me.

I was receiving numerous phone calls from people I hadn't heard from in years wanting to know what was going on. Numerous people wanted me to disclose what was on the recordings. I began to have and still have insomnia, nightmares, and panic attacks. I have and am currently being treated for anxiety and panic attacks by my doctor, Dr. Smita Patel. I take medication for anxiety and panic attacks including Bupropion and Xanax. Recently Dr. Patel had to increase my dosage of Bupropion because my anxiety was not under control. At times I have difficulty going into public places as people I would recognize would immediately "want to know what was on the tapes". Because I never had anxiety or panic attacks prior to my being fired publicly, Dr. Patel believes it is situational anxiety related to my termination and lawsuit filed against me.

If you google my name it brings up numerous media articles with my name in relation to a "wiretapping case". This has been detrimental to my ability to obtain a job comparable to the one I held with the City of South Bend. With 25 years of service and 14 years as Director of Communications, google and internet searches which are often used by potential employers only show myself fired by the Mayor of South Bend for an investigation into wiretapping.

When first terminated I was contacted by Captain Brent Croymans of St. Joseph County Police. Captain Croymans has managed the St. Joseph County Police Dispatch Center for many years. We discussed the possibility of my coming to work for them. I advised him that I would give this serious consideration. He was going to check with the Sheriff, needless to say no offers of employment were extended.

I also was contacted by Mishawaka Public Safety Dispatch Coordinator Brian Billingsley who I have known for many years. Brian also stated that he would love to have me work for their center. He was going to check with Chief Witkowski, however any consideration ended there.

I applied for a job with Avis Rental and the interview with the local manager went very well. She seemed as if she would have hired me on the spot. She advised me that she thought there would be no problem and even talked about getting me my uniforms. She stated she would need to send my paperwork to the District Manager for my background check. It was after the District Manager's background check that I was turned down.

While I did not keep record of the numerous job applications filled out and resumes sent, I have only been offered four job interviews. Most of my training and experience is relevant to working in public safety/dispatch.

I applied to work in the cafeteria at St. Joseph Regional Medical Center and the Human Resource Specialist called and left me a message laughing and stated "why would a Director of Communications want to work in a hospital cafeteria". I called back and left a message that the job I performed did not have many positions in our area and that it seemed I needed to look at other avenues. I advised him I have always loved cooking and working with people and thought this job would be something I could more than handle and enjoy. I was not contacted for an interview.

My legal fees are thousands of dollars most caused by the Mayor's public remarks. By stating that there was an investigation into "wiretapping" (a term never used by federal authorities) and as a result he demoted Boykins and fired me, he left the door wide open for the City to be sued, along with myself and my attorney.

I had to remove my annuity savings account from my retirement account which resulted in a large monetary penalty, between taxes and penalty for early withdrawal I lost thousands of dollars. My firing also effected the amount of my monthly pension for the rest of my life which will be considerably lower due to the way PERF bases pension from a five year average of your income.

I am fortunate my husband can insure me however the cost is far higher than the insurance benefit we had from my employment.

Interrogatory No. 25.

On the morning of March 30th or 31st, 2012 Chief Darryl Boykins called me in my office and asked if I heard he was fired. He stated that was going around but that he had been demoted. He stated he was called to the Mayor's Office and met with a man named Rich Hill who did not work for the City of South Bend and Mayor's Chief of Staff Mike Schmucl. He asked if I knew who Rich Hill was but I did not. He said that Rich Hill advised him to sign the demotion paperwork or that the Federal Authorities were going to indict him for wiretapping.

Chief Boykins stated he requested to speak with the Mayor but was not allowed to do so. He asked me if I would mind calling the Mayor and explaining what occurred as the Mayor would not take his phone calls. I advised him I would.

I called the Mayor's Office and identified myself and requested to speak with Mayor Buttigieg. I was forwarded to his Executive Assistant Todd Skawarcan. I advised him I needed to speak with the Mayor regarding the federal investigation and was told he was unavailable but he would take my name and number and have him get back with me.

Later that afternoon, I received a call in my office from Mike Schmucl who asked me if I was some place private. I told him I was alone in my office. He told me that Chief Boykins had to sign the demotion or he and I both were going to be indicted. I became upset and stated "Who, who told you this because that is not what I was told, I was told I was a witness to an investigation regarding the recording practices of the South Bend Police." He stated he was told by "Federal higher ups", again I pressed for a name stating who told you this? I told him that I had met with U.S. District Attorney Donald Schmid and 2 FBI agents and they all told me I was not under investigation and that I was a witness to a complaint on the department's recording practices.

Mike Schmucl then stated that he must have been mistaken but that he needed me to come up to the Mayor's Office to speak with Rich Hill. Because Chief Boykins had told me that Rich Hill was the person who made him sign the demotion papers, I stated that I did not want to speak with him at this time. I told him I did not know if I even wanted to work for them because this was not what I was told. I hung up the phone.

I immediately called U.S. District Attorney Donald Schmid's office and it went to his voicemail. By this time I was crying and becoming a little hysterical. I asked Mr. Schmid to call me because I had just spoke to Mike Schmucl from the Mayor's Office who said if Chief Boykins did not agree to a demotion that both Boykins and I were going to be indicted. I reminded him that I asked him if I was in any trouble and needed an attorney to which he shook his head no and stated that I was just a witness. I then asked him if I was going to have to quit my job. I gave him my home number and stated to him to please call me.

At approximately 5:30 pm Mr. Schmid called my home and stated he had been in a trial all day. He stated normally he would have waited to call me back the next day but he could tell I was very upset. He stated he called to calm my fears. He stated there was no warrant for my arrest and he did not anticipate any warrant for my arrest. He told me again, I am calling to calm your fears, don't quit your job. He conveyed this a second time because I was crying. I asked if Chief Boykins was in trouble and he stated he could not talk about the investigation and that there was a lot more than just these phone calls and that only he and Tim Thereau (one of the investigating FBI agents) knew all of the information. He told me he was not allowed to discuss any of it with me but again stated there was no warrant and he did not ever anticipate any warrant for my arrest and not to quit my job.